

Nipomo votes again May 12 on state water

By Tom Friesen
Staff Writer

NIPOMO — The contentious issue of state water will be settled May 12.

The new election date was set recently by Community Services District directors who have been trying to overturn the voters' Nov. 5 decision against the State Water Project.

The board was forced into calling the new election by 472 district residents who signed a referendum petition demanding that the board honor the original election results or call for a new vote.

The May 12 ballot will ask voters whether the board should be allowed to overturn a vote that was intended to be binding under an ordinance adopted in June 1991. The exacting wording of the May ballot measure has not been determined.

If the voters allow the board to repeal the binding provision of the June ordinance, board members have indicated they will request 1,500 to 2,000 acre-feet of state water.

If the voters do not allow the board to overturn the Nov. 5 election, the directors have said they will abandon their efforts to tap into the proposed Coastal Branch pipeline.

A vote against the board may also have another effect, according to Paul Luiz, who helped organize the opposition to the board's attempt to overturn the Nov. 5 election results.

"If you lose this election it will be the second time around," he said. "It will be obvious you've lost touch with the people. ... Would you save the cost of a recall of you four and resign?"

Director Kathleen Fairbanks replied, "We'll have to wait until the election."

"OK," said Luiz. "I'll ask it again after the election."

Steven Small, the only one of the five directors who wanted to honor the results of the original state water vote, was again the lone dissenter in

setting the new date.

He has urged the board to accept the voters' 356-328 decision in order to maintain the directors' credibility and to avoid the cost of a new election.

The May 12 election, to be run privately by Sequoia Pacific of Exeter, will cost about \$6,600, according to district General Manager Ryder Ray.

He said officials in the county elections department referred him to ~~the private company~~ because they will be too busy with the June primaries to operate a special election.

Art Shaw, the district's legal counsel, said the board could write its own argument for the ballot or choose the best argument in support of its position.

If more than one argument is submitted for the opposing view, the board would also choose which one goes on the ballot, he said, adding that "the board has the duty to be impartial" and could not choose the weaker of two arguments for the opposition.

The proposed ordinance that sparked the referendum and the new election said the Nov. 5 vote should be overturned because of the low 29-percent voter turnout and a flier filled with "misinformation" about the cost of state water that was mailed out at the "11th hour."

Charles Gulyash, the local contractor who wrote the flier and had defended its contents at previous NCS D meetings, offered some wry advice to an audience member who asked the board about requirements for writing a ballot argument.

"Make sure it doesn't have any 'misinformation' in it," he said. "And none of this '11th-hour' stuff."

The board, which had been estimating the cost of state water at \$530 an acre-foot, based on the original environmental impact report, learned that the latest estimates for Nipomo in 1996, when the project could be completed, range from

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\$632 to \$665.

County Engineer Clint Milne said that the new figures, produced by Smith Barney, may still change. The reason for the \$33 differential in the estimates is that the figure of \$632 is based on the county maintaining the portion of the property tax which has been used to reserve entitlements to state water.

The county has indicated that water purveyors who want to subscribe to the state project must make their decision by May 1, but Milne said a May 12 vote in Nipomo would not create a problem.

"They're all right with that date," he said. The informal results will be available almost immediately, and even if the vote appears to be about

50-50, the final certified results would still be in before June 3, which is the county's deadline for notifying the state about how much water, if any, it wants from the Coastal Branch.

Nipomo has officially requested 3,500 acre-feet of water from the project, but Milne acknowledged that district officials have informally let his department know that 2,000 is a more likely figure.

The Smith Barney analysis uses 2,000 for Nipomo.

That amount is more than Nipomo currently needs, but Milne agrees with the district directors that the water will be needed for future growth in the area.

Ray said, in response to an audi-

ence question, that Nipomo would be able to easily sell its excess water to Southern California after obtaining routine permission from the county flood control district.

But according to Milne, the flood control district, which is made up of the Board of Supervisors, can only approve water sales within the county. Nipomo would also need approval from the state Department of Water Resources to sell elsewhere.

"I'm not sure it's going to be that easy to sell outside the district. A better chance for Nipomo would be to sell to local farmers," he said. "L.A. doesn't need water right now."

Los Angeles is not growing as fast as predicted, and the city is not using its full entitlement of state water because it's cheaper to pump water from the Colorado River, he said.

The state project is not delivering full entitlements because it hasn't been completed, but when Nipomo gets full entitlements, other areas will too.

In other action, the board passed the second reading and final adoption of an ordinance that repeals a 1983 measure banning annexations of developed land.

The 1983 ordinance was adopted before the NCSO sewer system was constructed, and the directors at that time were worried about getting

stuck with providing sewer services to a pair of large developments if they were annexed to the water system.

Small dissented in the 4-1 vote, which was described as a "house-keeping measure" but also appears to clear the way for annexation of

the Summit Station area where wells have been going dry for the past few years.

Directors in the majority have said the district can easily provide the needed 70 acre-feet to the area, especially with two new wells expected to start operating soon.

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UC offers 'master' for oak growers

SAN LUIS OBISPO — University of California Cooperative Extension has launched a Master Oak Tree Grower Program in San Luis Obispo County. Of the 50 people enrolled in the first program, 28 became certified as Master Oak Tree Growers.

To receive certification, each student successfully completed a written examination of materials presented in the workshops and designed a project involved with oak

regeneration and education. Projects

Planting sites, particularly large ones away from residences, are needed. Donations of money for materials to protect sites and time are also needed. Anyone interested in helping with a project should call Bill Tietje or Bill Weitkamp at 549-5940.

Within an individual's lifetime, a single acorn could become a tree capable of producing shade, oxygen, and bushels of acorns each year.